

# SENATE BILL 134

E2

11r1261

---

By: **Senator Stone**

Introduced and read first time: January 24, 2011

Assigned to: Judicial Proceedings

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Indecent Exposure – Sex Offender Registry**

3 FOR the purpose of altering the definition of tier I sex offender for purposes of  
4 provisions relating to a certain sex offender registry to include a person who has  
5 been convicted of the offense of indecent exposure under certain circumstances;  
6 and generally relating to certain sex offender registration and indecent  
7 exposure.

8 BY repealing and reenacting, without amendments,  
9 Article – Criminal Procedure  
10 Section 11–701(a)  
11 Annotated Code of Maryland  
12 (2008 Replacement Volume and 2010 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article – Criminal Procedure  
15 Section 11–701(o)  
16 Annotated Code of Maryland  
17 (2008 Replacement Volume and 2010 Supplement)

18 BY repealing and reenacting, without amendments,  
19 Article – Criminal Law  
20 Section 11–107  
21 Annotated Code of Maryland  
22 (2002 Volume and 2010 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
24 MARYLAND, That the Laws of Maryland read as follows:

25 **Article – Criminal Procedure**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 11-701.

2 (a) In this subtitle the following words have the meanings indicated.

3 (o) “Tier I sex offender” means a person who has been convicted of:

4 (1) conspiring to commit, attempting to commit, or committing a  
5 violation of § 3-308 of the Criminal Law Article;

6 (2) conspiring to commit, attempting to commit, or committing a  
7 violation of § 3-902 or § 11-208 of the Criminal Law Article, if the victim is a minor;

8 (3) **THE COMMON LAW OFFENSE OF INDECENT EXPOSURE IF THE**  
9 **VICTIM IS A MINOR AND THE ACT WAS COMMITTED FOR THE PURPOSE OF**  
10 **SEXUAL GRATIFICATION;**

11 (4) a crime committed in a federal, military, tribal, or other  
12 jurisdiction that, if committed in this State, would constitute one of the crimes listed  
13 in item (1) [or (2)], **(2), OR (3)** of this subsection;

14 **[(4)] (5)** any of the following federal offenses:

15 (i) misleading domain names on the Internet under 18 U.S.C. §  
16 2252C;

17 (ii) misleading words or digital images on the Internet under 18  
18 U.S.C. § 2252C;

19 (iii) engaging in illicit conduct in foreign places under 18 U.S.C.  
20 § 2423(c);

21 (iv) failure to file a factual statement about an alien individual  
22 under 18 U.S.C. § 2424;

23 (v) transmitting information about a minor to further criminal  
24 sexual conduct under 18 U.S.C. § 2425;

25 (vi) sex trafficking by force, fraud, or coercion under 18 U.S.C. §  
26 1591; or

27 (vii) travel with intent to engage in illicit conduct under 18  
28 U.S.C. § 2423(b);

29 **[(5)] (6)** any military offense specified by the Secretary of Defense  
30 under Section 115(A)(8)(C)(i) of Public Law 105-119 (codified at 10 U.S.C. § 951 Note)  
31 that is similar to those offenses listed in item **[(4)] (5)** of this subsection; or

